



## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sector 5

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

1024581380

12/19/99

ANDERSON

A 0000065

JOHN R CARR  
FENWICK & WEST LLP  
TWO PALO ALTO SQUARE  
PALO ALTO CA 94306

0242/0120

#3

NOT ASSIGNED

2747

DATE MAILED:

01/20/00

## NOTICE TO FILE MISSING PARTS OF APPLICATION

## Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 small entity (statement filed)  non-small entity is \$ 2762.

1. The statutory basic filing fee is:

missing.  
 insufficient.

Applicant must submit \$ 762 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ 936 for 52 total claims over 20.

\$ 936 for 12 independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.  
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

K A 03/22/2000 YGIZAW 0000065 09458353

01 FC:101

760.00 OP

858.00 OP

0001/PTO  
Rev. 10/95

O I P E  
MAR 20 2000  
U. S. PATENT & TRADEMARK OFFICE

## TRANSMITTAL FORM

(to be used for all correspondence during pendency of filed application)

U.S. Department of Commerce Patent and Trademark Office		Application Number	09/458,353
		Filing Date	December 9, 1999
		First Named Inventor	Arthur G. Anderson
		Group Art Unit Number	2747
		Examiner Name	Unknown
Total Number of Pages in This Submission	13	Attorney Docket Number	3569

### ENCLOSURES (check all that apply)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)      | <input type="checkbox"/> Issue Fee Transmittal   |
| <input checked="" type="checkbox"/> Check Enclosed                           | <input type="checkbox"/> Letter to Chief Draftsperson                                      |
| <input checked="" type="checkbox"/> Return Receipt Postcard                  | <input type="checkbox"/> Formal Drawing(s):<br>[ ] Sheet(s) of Figure(s) [ ]               |
| <input checked="" type="checkbox"/> Response to Notice to File Missing Parts | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input checked="" type="checkbox"/> Assignment & Recordation Cover Sheet     | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> Declaration                              | <input type="checkbox"/> Certified Copy of Priority Document(s)                            |
| <input type="checkbox"/> Small Entity Statement                              | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Information Disclosure Statement & PTO-1449         | <input checked="" type="checkbox"/> Copy of PTO-1533                                       |
| <input type="checkbox"/> Copies of IDS Cited References                      | <input type="checkbox"/>   |
| <input type="checkbox"/> Request for Corrected Filing Receipt                | <input type="checkbox"/>   |
| <input type="checkbox"/> Request for Correction of Recorded Assignment       | <input type="checkbox"/>   |
| <input type="checkbox"/> Amendment/Response: [ ] Page(s)                     | <input type="checkbox"/>   |
| <input type="checkbox"/> After Final   | <input type="checkbox"/>   |
| <input type="checkbox"/> Status Request                                      | <input type="checkbox"/>   |
| <input type="checkbox"/> Revocation and Power of Attorney                    | <input type="checkbox"/>   |

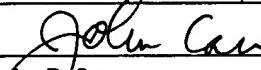
### REMARKS:

### SIGNATURE OF ATTORNEY OR AGENT

Signature:		
Attorney/Reg. No.:	John R. Carr, Registration No. 42,390	Dated: 3-16-2000

### CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Assistant Commissioner for Patents, Box MISSING PARTS, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:		
Typed or Printed Name:	John R. Carr	Dated: 3-16-2000
Express Mail Mailing Number (optional):	EL550794806US	



PTO/SB/17 (6-95)(modified)

Approved for use through 11/30/96, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified) Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b>		Application Number	09/458,353
<b>TOTAL AMOUNT OF PAYMENT</b>		Filing Date	December 9, 1999
Subtotal (1) + Subtotal (2) + Subtotal (3) = <b>(\\$) 2,654</b>		First Named Inventor	Arthur G. Anderson
		Group Art Unit	2747
		Examiner Name	Not yet known
		Attorney Docket Number	3569

<b>METHOD OF PAYMENT</b>		<b>FEES CALCULATION (continued)</b>		
<b>1. The Commissioner is hereby authorized to:</b>		<b>3. ADDITIONAL FEES</b>		
<input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. <sup>†</sup> <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to the below mentioned deposit account.		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
		105/\$130	205/\$65	Surcharge - late filing fee or oath <b>130</b>
		127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet
		147/\$2,520	147/\$2,520	For filing a request for reexamination
		115/\$110	215/\$55	Extension for response within first month <sup>†</sup>
		116/\$380	216/\$190	Extension for response within second month <sup>†</sup>
		117/\$870	217/\$435	Extension for response within third month <sup>†</sup>
		118/\$1,360	218/\$680	Extension for response within fourth month <sup>†</sup>
		128/\$1,850	228/\$925	Extension for response within fifth month <sup>†</sup>
		119/\$300	219/\$150	Notice of Appeal
		141/\$1,210	241/\$605	Petition to revive unintentionally abandoned application
		142/\$1,210	242/\$605	Utility Issue Fee (Or Reissue)
		143/\$430	243/\$215	Design Issue Fee
		122/\$130	122/\$130	Petitions to the Commissioner
		123/\$50	123/\$50	Petitions related to provisional applications
		126/\$240	126/\$240	Submission of Information Disclosure Statement
		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties) <b>40</b>
		146/\$690	246/\$345	Filing a submission after final rejection (37 CFR 1.129(a))
		149/\$690	249/\$345	For each additional invention to be examined (37 CFR 1.129(b))
		Other fee (specify): Ten soft copies of issued patent		
		Other fee (specify):		
		<b>SUBTOTAL (3) (\\$) 170</b>		
<b>2. CLAIMS</b>				
Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description		
103/\$18	203/\$9	Claims in excess of 20		
102/\$78	202/\$39	Independent claims in excess of 3		
104/\$260	204/\$130	Multiple dependent claim		
109/\$78	209/\$39	Reissue independent claims over original patent		
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent		
		(Col. 1)	(Col. 2)	(Col. 3)
		For	No. of Existing Claims	Highest No. Previously Paid For
		TOTAL	72	minus* 20 or = 52
		INDEP	14	minus* 3 or = 11
		[ ] First presentation of multiple dependent claim		
		Fee		Fee Due
		x 18	= 936	
		x 78	= 858	
		=	=	
<b>SUBTOTAL (2) (\\$) 1794</b>				

\* Subtract the greater number of Col. 2

\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	John R. Carr	Reg. Number	42,390
Signature	<i>John Carr</i>	Date	3-16-2000

A9000/00000/SF/5016699.1



## IN THE UNITED STATES

## PATENT AND TRADEMARK OFFICE

APPLICANTS: Arthur G. Anderson & Robert M. Khamashta  
SERIAL NO.: 09/458,353  
FILING DATE: December 9, 1999  
TITLE: Headset With Memory  
EXAMINER: Unknown  
GROUP ART UNIT: 2747  
ATTY. DKT. NO.: 3569

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10, using Express Mail Mailing Number EL550794806US in an envelope addressed to: Assistant Commissioner For Patents, Box Missing Parts, Washington, D.C. 20231, on the date shown below:

Dated: 3-16-2000

By: John Carr  
John R. Carr, Reg. No.: 42,390

BOX MISSING PARTS  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

SIR:

Responsive to Form PTO-1533 dated January 20, 2000 received in the above-identified patent application, enclosed are:

- a copy of the Notice to File Missing Parts;
- an original, signed Declaration;
- a signed Verified Statement
- Applicant respectfully submits that since this application was entitled to Small Entity Status when filed, as established with the enclosed original, signed, Verified Statement, the fee for filing as a large

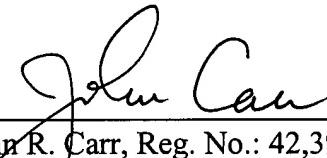
entity as indicated in the Notice to File Missing Parts is inappropriate and that the filing fee submitted with this application as originally filed is sufficient to cover the filing fees for this application;

- Assignment and PTO-1619A;
- Other: Check in the amount of \$2,724, to cover the application filing costs, missing parts surcharge and the assignment recordation fee.

Respectfully submitted,  
ARTHUR G. ANDERSON  
ROBERT KHAMASHTA

Dated: 3-16-2000

By:

  
John R. Carr, Reg. No.: 42,390  
Fenwick & West LLP  
Two Palo Alto Square  
Palo Alto, CA 94306  
Tel.: (415) 875-2431  
Fax.: (415) 281-1350

18864/03569/SF/5020975.1